

In the Court of Ld. District Judge - V, Muzaffarpur
Probate No. - 10/1993

Order
15.06.2026

1. The matter is listed today. Taken up for hearing. None is present on behalf of the petitioner namely Anupam Kumar. It is 10:30 o'clock, it is a morning court. Several calls have been made in the first half also. Even now, call made but no one appeared. In terms of order dated 12.06.2026, the petitioner has to appear before the court for deposing. However, none is appeared. Learned Counsel for the Objector Prabhat Kumar himself is present before the Court.
2. The present case is of the year 1993. It is about 33 years old. The situation in the present case is that executor Surya Shekhar Singh of the alleged Will has already died in the year 1997 as getting reflected from the order dated 19.02.2008 and on the said date an application was filed on behalf of the alleged legaty Anupam Kumar for permission to let him petitioner of the present case. It further appears from the order dated 19.05.2017 that in view of Section 230(2) of the Indian Succession Act, the petition of the Anupam Kumar is allowed and further, and order was made in correction in the memo of parties. So, the consequences is that after arrival of Anupam Kumar in the present Probate proceeding being a legaty, the prayer portion also needs to be amended to the effect that now this petition would continue for grant of Letter of Administration rather a Probate. Further, it appears that prayer portion has not been amended till date as there is no remarks regarding such amendment in the prayer portion of the present petition.

3. Be that it may be, since none is present on behalf of the petitioner Anupam Kumar despite clear cut order made on 12.06.2026, the present petition is **dismissed for default**.
4. Office clerk is directed to consign the case record as per rule.

(Suman Kumar Divakar)
District Judge -V
Muzaffarpur

Date of Judgement/Order	15.06.2026
Date of reserving Judgement/Order	15.06.2026
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